

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO**

**PLANNED PARENTHOOD  
SOUTHWEST OHIO REGION, *et al.*,**

Plaintiffs,

v.

**OHIO ATTORNEY GENERAL  
DAVE YOST, *et al.*,**

Defendant.

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Case No. 1:19-cv-00118

JUDGE MICHAEL R. BARRETT

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**DEFENDANTS' COMBINED MOTION FOR JUDGMENT ON THE PLEADINGS  
AND MEMORANDUM IN SUPPORT**

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Pursuant to Rule 12(c) of the Federal Rules of Civil Procedure, the defendants move for judgment on the pleadings. “A Rule 12(c) motion is granted when no material issue of fact exists and the party making the motion is entitled to judgment as a matter of law.” *Moderwell v. Cuyahoga Cnty., Ohio*, 997 F.3d 653, 659 (6th Cir. 2021) (quotation omitted). The defendants are entitled to judgment as a matter of law, and thus entitled to judgment on the pleadings. (The Court could, if it prefers, construe this motion as a request for summary judgment, *see* Fed. R. Civ. P. 56, and grant relief on that basis. *See Max Arnold & Sons, LLC v. W.L. Hailey & Co.*, 452 F.3d 494, 503 (6th Cir. 2006).) The plaintiffs’ complaint seeks relief on one basis: they argue that the challenged law, Ohio R.C. §2919.15, violates the right to abortion recognized in *Roe v. Wade*, 410 U.S. 113 (1973) and *Planned Parenthood of Southeastern Pennsylvania v. Casey*, 505 U.S. 833, 1002 (1992). Compl., R.1, PageID#14. Last week, the Supreme Court overruled both cases, holding that there is no federal right to an abortion. *See Dobbs v. Jackson Women’s Health Org.*,

No. 19-1392, 597 U.S. \_\_ (June 24, 2022). *Dobbs* is now binding precedent. And it forecloses the plaintiffs' argument that Ohio R.C. §2919.15 violates the United States Constitution. Accordingly, the defendants move for judgment on the pleadings.

Respectfully submitted,

DAVE YOST  
Ohio Attorney General

/s/ Amanda L. Narog

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 30, 2022, the foregoing was filed electronically. Notice of this filing will be sent to all parties for whom counsel has entered an appearance by operation of the Court's electronic filing system. Parties may access this filing through the Court's system. I further certify that a copy of the foregoing has been served by e-mail or facsimile upon all parties for whom counsel has not yet entered an appearance.

/s/ Amanda Narog

AMANDA L. NAROG (0093954)

Assistant Attorney General